

SPECIAL MEETING – CITY COUNCIL

-OCTOBER 12, 2006-

Special meeting of the City Council was held on Thursday, October 12, 2006 in the Council Chambers, City Hall, Cranston, Rhode Island.

The meeting was called to order at 5:35 P.M. by the Council President.

Roll Call showed the following members present: Councilmen McDonough, Fung, Livingston (appeared at 6:55 P.M.), Council Member Fogarty (appeared at 6:50 P.M.), Council Member Bucci (appeared at 6:50 P.M.), Councilmen Lanni, Barone, Council Vice-President McFarland (appeared at 6:50 P.M.) and Council President Garabedian –9.

Also Present: Paul Grimes, Director of Administration; Michael Glucksman, City Solicitor; Evan Kirshenbaum, Assistant City Solicitor; Patrick Quinlan, City Council Legal Counsel; Marco Schiappa, Director of Public Works.

Councilman Barone recognized in the audience, Councilman Martineau of Woonsocket.

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Clerk read Call of the Meeting:

**CITY OF CRANSTON
RHODE ISLAND**

**NOTICE OF SPECIAL MEETING
OF THE CITY COUNCIL**

In Accordance with Section 3.07 of the Home Rule Charter and, Section 2.04.06 of the City Code, I hereby call a special meeting of the City Council to be held on

Thursday, October 12, 2006 at 5:30 P.M.
Council Chambers, City Hall, 869 Park Ave.,
Cranston, RI. 02910

The following items of business shall be transacted:

- 9S-06-1 Ordinance Authorizing the City to Utilize Western Cranston Road Impact Fees for a Traffic Signal at Pippin Orchard Rd. and Scituate Ave.
- 9-06-5 Ordinance in Amendment of Chapter 10 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Industrial Rd.).
- Zoning Board of Review Appointment
- Status Update from Administration regarding
Repairs to Cranston Memorial Ice Rink
Installation of new "bubble" ice rink

And I hereby request the City Clerk to notify all Council members of the Call of the special meeting.

Executed at Cranston, Rhode Island, this 5th day of October, 2006.

/s/ Aram G. Garabedian, Council President

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CERTIFICATION

I hereby certify that a true copy of the attached Call of a special meeting of the City Council to be held on Thursday, October 12, 2006 at 5:30 P.M. in the Council Chambers, third floor, City Hall, 869 Park Ave., Cranston, R.I. was delivered via electronic mail on the 5th of October, 2006 and regular mail, postage prepaid to the addresses listed below.

Council President Aram G. Garabedian
173 Belvedere Dr.
Cranston, RI 02920
[Aram @blissproperties.net](mailto:Aram@blissproperties.net)

Council Member Maria A. Bucci
21 Red Hawk Dr.
Cranston, RI 02921
MarBC4@aol.com

Council Member Cynthia M. Fogarty
60 Ausdale Rd.
Cranston, RI 02910
Fogarty1@msn.com

Councilman Allan W. Fung
252F Mayfield Ave.
Cranston, RI 02920
alfung@cox.net

Councilman Terence Livingston
28 Tucker Ave.
Cranston, RI 02905
Terry@livingstonlaw.us

Councilman Jeffrey P. Barone
16 Samuel Court
Cranston, RI
Jeffreyb22@cox.net

Councilwoman Paula McFarland
100 Pomham St.
Cranston, RI 02910
pmcfarland@prodigy.net

Councilman Kirk McDonough
67 Dellwood Rd.
Cranston, RI 02920
kirkmcdonough@cox.net

Councilman John E. Lanni, Jr.
111 Woodview Dr.
Cranston, RI 02920
jlanni@peterpanbus.com

/s/ Rosalba Zanni, Assistant City Clerk

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STATUS UPDATE FROM ADMINISTRATION REGARDING REPAIRS TO CRANSTON MEMORIAL ICE RINK AND INSTALLATION OF NEW 'BUBBLE' ICE RINK

Mr. Grimes stated that the issue the City has come across regarding this item in reference to the bubble rink installation. There are a number of international building code regulations raised by the Building Inspector, such as handicapped issue of entering and exiting the bubble rink. The City is trying to work through those. These issues are scheduled for a meeting before the Building Board of Appeals, which will be held on October 24, 2006. He is meeting with the members of the City staff and Mr. Bennett, manager of the ice rink, tomorrow morning to try to get the bubble rink delivered and have it shipped and put up in an outside bubble rink capacity.

Councilman Fung asked what the estimated timetable is in getting the bubble rink delivered and set up. Mr. Grimes stated approximately a few months. The objective is to get it set up before the peak season, possibly in December. One thing we have to think about is do we want to go ahead and make final payment and have it shipped with the potential that we do not get the approvals to install it. Councilman McDonough read a letter from School Committee member Anthony Lupino.

Councilman Lanni stated that there are two other bubble facilities in Rhode Island that have been installed with no problems. He questioned what is so unique about Cranston that have brought up issues. Mr. Schiappa stated that according to the Building Inspector, there are certain ADA Code issues with our facility. Councilman Lanni questioned whether an open facility with no dome would violate the Building Code. Mr. Schiappa stated that he asked the same question of the Building Inspector and has not received an answer yet.

Council Member Fogarty asked why it is that the Building Inspector's Office could give an opinion on a concrete plant in 15 days and here we are six months later, and we can't get an opinion on this issue. Mr. Grimes stated that as to the concrete plant issue, that has to do with zoning matters and not building code.

Council Vice-President McFarland asked what could be done to get the facility up. This Council has done their job and allocated the money. She questioned what could be done to construct it properly. Mr. Schiappa stated that what should be done is put the foundation first and put the dome up. If you do anything now, it would have to be taken down and apart and it will have to be removed when you put the dome up

Public Speakers:

Frederick Miller, 158 Fiat Ave., appeared to speak and stated that he manages the RI Hockey Women's League and they were advised during the summer, by the Rink Management Corp. that the bubble rink would be available by October 1, 2006. They were given ice hours in the bubble rink and were told it would be ready. His league has been using Marlboro, Massachusetts for ice time for years and they gave up ice time in Massachusetts for this and now they have nowhere to go. This has hurt his league and other people bad. Somebody dropped the ball months ago and never picked it up. There is no excuse for this taking all this time. The idea of an open rink is not what they need.

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Thomas Iannotti, Executive Director of RI International Scholastic Hockey Leagues, appeared to speak and stated that he met with Mr. Bennett and came up with a schedule of games. If these games cannot be played, it is not good. Approximately 27,000 kids play athletics in the State of Rhode Island and he does not have the number of which are hockey, but there are ten girls teams with 15 players on each team.

Karen Emma Walsh, 25 Ralls Dr., Bay View Hockey Coach, appeared to speak and stated that without the bubble rink, as a private school, it would be putting them in a situation of no ice time as well.

Bradley Miller, 58 Albert Ave., appeared to speak and stated that he has two children who play hockey for CLCF, and practice time and game schedules have been put together and money has been spent by the parents for registrations and equipment, which is very expensive. This is utterly unfair to the kids.

Richard Oliver, 73 Verdant Dr., President of RI Youth Hockey, appeared to speak and stated that there are groups and organizations waiting for this facility to open.

Mr. Schiappa stated that this facility was presented as a place for practice, which would alleviate time and space for games to take place in the original facility. This facility was not intended for game use, due to fire code violations. This facility would not be able to handle large crowds, which games would attract large audiences. The residents who have spoken this evening and the way they have spoken, are under the impression that the bubble rink would be used for practice in addition to games.

Council Vice-President McFarland stated that this Council has not received any correspondence or update regarding this issue since June 5, 2006.

Council Member Bucci asked how long it would take to get this bubble rink up once all the approvals are obtained. Mr. Schiappa stated that he does not know. It would depend on the availability of the contractor to place the foundation in, which he is doing at no cost. He stated that he can provide the Council with a schedule of anticipated dates by the Council meeting.

Thomas Ricci, 75 Knight St., appeared to speak and stated that his grandson plays hockey and due to the popularity of this sport, there is a large demand for more ice time and eventually, what is going to be needed is a new rink.

Nicholas Mattera, appeared to speak and asked why this has taken so long. He also stated that he started the Cranston High School Girls Hockey League.

Peter Pirolli, 111 Mystery Farms Dr., Cranston High School West Hockey Player, appeared to speak and asked why the Building Inspector is not present this evening to tell the Council and everyone in the audience what is holding this up.

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Councilman Livingston indicated that neither the Administration nor anyone else in the City notified the Council that there was a problem with the bubble rink. Mr. Bennett e-mailed him telling him that there was a problem and this is when he called the Council President and this meeting was scheduled. Mr. Grimes stated that he takes full accountability for this, but he would rather be here tonight getting all this criticism, then if he would have signed a check over and received the rink and were not given approval for it to be installed. He suggested that the Council make a motion to get this rink with all due haste and there will be a plan of action and schedule provided for the October 23, 2006 City Council meeting. Councilman McDonough requested that the Council also needs to be provided with all the options, expenses and timeframe.

Council President Garabedian stated that the Mayor of this City has never attended a Council meeting. Mr. Grimes has been the Mayor of this City since day one and he worked his heart out for this City along with Robin Muksian-Schutt, Deputy Director of Administration and he respects their hard work.

Bruce Hollis, Swansea, Massachusetts, appeared to speak and asked if this project would have to go out to bid. Mr. Grimes stated that it does not have to go out to bid. It received a bid waiver from the Board of Contract and Purchase. This facility is a self-contained unit. It just needs to be put together and services would need to be connected.

**9S-06-1 ORDINANCE AUTHORIZING THE CITY TO UTILIZE
WESTERN CRANSTON ROAD IMPACT FEES FOR A TRAFFIC
SIGNAL AT PIPPIN ORCHARD RD. AND SCITUATE AVE.**

On motion by Councilman McDonough, seconded by Council Member Fogarty, it was voted to adopt this Ordinance.

Under Discussion:

Mr. Schiappa stated that previously, the City was advised by D.O.T. and a study done by them, that there is a signal needed at Phenix and Natick and D.O.T. would pay for the installation and this would be taken care of by early 2007. Since then, he has been advised that the design portion has been put on hold due to the fact that their funding source is dried out. One option would be to utilize Western Cranston Impact Fees. The cost would be \$87,000 - \$90,000. He was told by D.O.T. that their engineer would complete the design work and it would be turned over to the City sometime in February.

Gavel was handed to Council Vice-President McFarland.

Council President Garabedian stated that the issue of a signal at both Phenix and Natick and Pippin Orchard and Scituate is critical. He suggested that the Council proceed with this particular Ordinance and take up the Phenix and Natick issue at the Council meeting.

Council Member Bucci questioned if Police Impact Fees could be used for traffic signal. Mr. Kirshenbaum stated that the Code is not very clear regarding this. State Statute does not give that authority.

Council President Garabedian stated that he met with Mr. Igoe, City Auditor, and was told that we have adequate money to do road projects now.

The gavel was handed back to Council President Garabedian.

Roll call was taken on motion to adopt the above Ordinance and motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen McDonough, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

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**9-06-5 ORDINANCE IN AMENDMENT OF CHAPTER 10 OF THE CODE
OF THE CITY OF CRANSTON, 2005, ENTITLED 'MOTOR
VEHICLES AND TRAFFIC' (Industrial Rd.).**

On motion by Councilman Livingston, seconded by Councilman McDonough, the above Ordinance was adopted on a vote of 9-0. The following being recorded as voting "aye": Councilmen McDonough, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

ZONING BOARD OF REVIEW APPOINTMENT

On motion by Council Member Bucci, seconded by Councilman Fung, it was voted to appoint DAVID IMONDI, 53 Kearney St., as a member of the Zoning Board of Review. Motion passed on a vote of 9-0. The following being recorded as voting "aye": Councilmen McDonough, Fung, Livingston, Council Member Fogarty, Council Member Bucci, Councilmen Lanni, Barone, Council Vice-President McFarland and Council President Garabedian -9.

The meeting adjourned at 7:40 P.M.

Maria Medeiros Wall
City Clerk

Rosalba Zanni
Assistant City Clerk/Clerk of Committee

(See Stenographic notes of Heather Finger, Stenotypist).